## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

DEC 0 7 2005

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ANTHONY TURNER, Plaintiff,	)	Civil Action No. 7:05-cv-00714
v.	)	MEMORANDUM OPINION
KENNETH L. OSBORNE, <u>et al.,</u> Defendant(s).	) ) )	By: Hon. James C. Turk Senior United States District Judge

Plaintiff Anthony Turner filed this action as an untitled motion, using his long-closed case, Civil Action No. 7:95-cv-01106. Because the motion did not appear to relate to the subject matter of his prior case, the clerk filed the motion conditionally as a new civil action. Turner informs the court that he would like to store certain records and files with the court and to have someone place the records in chronological order for him. The court must deny this motion.

Turner does not demonstrate that he has any right under federal law to have the court act as a storage facility for his personal records, not necessary to any pending lawsuit, and the court is unaware of any such right. Indeed, the court does not have space, staffing or funding to provide such a service. Accordingly, the court will deny Turner's motion to store records and will dismiss this action without prejudice, pursuant to 28 U.S.C. § 1915A, for failure to state any claim upon which relief could be granted. An appropriate order shall be issued this day.

ENTER: This The day of December, 2005.

Senior United States District Judge